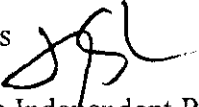




**OFFICE OF MAYOR JERRY SANDERS
CITY OF SAN DIEGO**

MEMORANDUM

DATE : September 14, 2007
TO : Honorable Members of the San Diego City Council
FROM : Mayor Jerry Sanders 
SUBJECT : Appointments to the Independent Rates Oversight Committee

It is my pleasure to appoint Donald Billings, Lawrence Clemens, Linda Cocking, Jack Kubota, John Nelson, Barry Newman, James Peugh, Charles Richardson, Irene Stallard-Rodriguez, Todd Webster, and Gail Welch to the Independent Rates Oversight Committee, subject to your confirmation.

Donald Billings, CFA has more than 25 years experience in financial institution supervision and crisis management. Mr. Billings has worked domestically and internationally as a federal regulator and has provided independent consulting services to the Federal Reserve and Moody's Investor Service. Mr. Billings's career highlights include: Chief Advisor for the U.S. Treasury Department at the U.S. Embassy in London where he directed emerging markets financial sector reform; Managing Director for KPMG, LLP where he was also a member of the Board for KPMG's start-up subsidiary in Japan; and Director of Finance for the Oversight Board for the Resolution Trust Corporation in Washington, D.C. where he was responsible for board oversight of the corporation's financial functions including development of operating and funding plans, loss estimation, financial reporting, and audit. Currently, Mr. Billings is a consultant for the Promontory Financial Group and assists clients in business strategy, risk management, and response to regulatory actions.

In 1979, Mr. Billings received his B.A. degree in Economics with Distinction from the University of California, Berkeley and was awarded the Chartered Financial Analyst designation in 1986. Mr. Billings will serve as the Finance/Municipal Finance representative on this committee for a term expiring May 1, 2011. Mr. Billings resides in Del Mar Terrace/Torrey Pines. It is my intent to appoint Donald Billings as the Chair of the Independent Rates Oversight Committee.

Larry Clemens is President of Barratt American, Urban Division, and is responsible for all aspects of development of urban mixed-use projects. Mr. Clemens has over 30 years experience in community and resort master planning, entitlement, construction, and project management. Throughout his career many San Diego area development projects under Mr. Clemens' leadership, have received numerous design awards. Previously, Mr. Clemens was the President of Lennar Homes – San Diego Communities and San Diego Urban Division. He was also the Vice President, General Manager of Hillman Properties where he oversaw the development of Aviara, the \$1 billion resort community in Carlsbad. Mr. Clemens will serve as the Construction Management Professional on this committee for a term expiring May 1, 2011. Mr. Clemens resides in Rancho Santa Fe.

Linda Cocking is a Residential and Commercial Property Manager and Owner experienced in all aspects of real estate finance, ownership, and management of residential and commercial units. Ms. Cocking has managed and owned properties for more than 30 years and obtained her real estate broker license from the California Department of Real Estate in 1989. Ms. Cocking also has more than 12 years experience as a financial planner and became a Certified Financial Planner in 1984. Ms. Cocking will serve as the Multi-Family Residential Ratepayer representative on this committee for a term expiring May 1, 2009. Linda Cocking resides in Tierrasanta.

Jack Kubota is a semi-retired Professional Engineer specializing in all aspects of engineering related to water resources, potable water supplies, reclaimed/recycled water supplies, wastewater collection, treatment, and disposal, and municipal engineering services. With more than 57 years experience, Mr. Kubota has been a Public Health Engineer, City Engineer, Consulting Engineer, and District Engineer. His technical and engineering expertise supported the development of the Encina Wastewater Authority which currently provides wastewater treatment for more than 300,000 people in North San Diego County. Throughout Mr. Kubota's career, he has played a key role in the development, planning, design, and construction of many water and wastewater facilities. He currently is the sole-ownership consultant of a small engineering firm, providing services on an as-needed basis. Mr. Kubota will serve as the Engineering Professional on this committee for a term expiring May 1, 2009. Mr. Kubota resides in Carlsbad.

John Nelson is the Vice President of Operations for FCI Constructors, Inc. Southern Division, a California-based subsidiary of Flatiron Construction Corporation, and has been in the construction management industry for more than 40 years. Mr. Nelson began his career as a Structures Superintendent in 1967 at the Daley Corporation and soon became the Construction Manager for Field Operations. In 1976, Mr. Nelson became the Vice President of Field Operations for the Daley Corporation and effectively managed all aspects of projects including reviewing bids, developing project budgets, supervising project managers and field operations, and overseeing fleet trucking operations. From 1981-1995, Mr. Nelson managed all major Caltrans projects for the Daley Corporation and engineered and estimated all concrete structures. Since 1995, Mr. Nelson has worked for FCI Constructors and was previously the President & General Manager responsible for value engineering, pre-construction planning, and overseeing various multi-million dollar construction projects in Southern California. Mr. Nelson resides in the Crown Point

community of Pacific Beach and will serve as the Temporary Irrigation & Construction Ratepayer representative for this committee for a term expiring May 1, 2009.

Barry Newman is a retired banker and a practicing attorney in private practice and currently serves as a Complex Commercial Mediator and Arbitrator. He is also a San Diego Superior Court Judge Pro Tem for the North County and Central divisions and on the Board of Directors for the San Diego County Capital Asset Leasing Corporation. Previously, Mr. Newman was the Senior Executive Vice President for Great American Bank and the Chairman, President & CEO for Security Pacific Finance Group. In addition to his professional commitments, Mr. Newman has led and served on numerous boards, commissions, and committees including the Public Utilities Advisory Commission (2005-2007) and the Metropolitan Wastewater Programs Oversight Committee (1992-2001). He is currently the Chairman of the San Diego County Treasury Oversight Committee, a member of the San Diego County Audit Committee, Board member and Past President of the San Diego County Taxpayers Association, and served on the Finance Committee for San Diego/Imperial Counties Chapter of the American Red Cross. Mr. Newman will serve as the Law Professional on this committee for a term expiring May 1, 2011. Mr. Newman resides in Escondido.

James Peugh is a retired physicist who worked at Navy Command, Control, Ocean Surveillance Center in the Naval Research and Development Division for over 30 years. As a physicist, Mr. Peugh worked in ocean engineering, signal processing, and undersea warfare concepts and systems. Over the last 20 years, Mr. Peugh has been a wildlife preservation, habitat restoration, watershed, water quality, and environmental advocate and has been affiliated with various environmental organizations including Friends of Famosa Slough, San Diego Audubon Society, San Diego Bay Council, San Diego River Park Foundation, and San Diego River Conservancy. Mr. Peugh has also served on numerous boards, advisory groups, committees, panels and working groups and has provided his expertise on several of the City's commissions including the Public Utilities Advisory Commission and the Wetlands Advisory Board. Mr. Peugh will serve as the Environmental representative on this committee for a term expiring May 1, 2011. Mr. Peugh resides in Point Loma.

Charles Richardson is a retired Chief Financial Officer and President for GreenPoint Financial Corporation and GreenPoint Credit, LLC. He has more than 35 years experience in the financial industry and has served as Executive Vice President and Chief Financial Officer, Vice President and Chief Audit Officer, Senior Vice President and Treasurer, Audit Manager and other executive level positions for various banks and financial institutions including GreenPoint Bank, Dollar Dry Dock Bank, First Fidelity Bancorporation, and Deloitte, Haskins & Sells. His financial expertise includes auditing, public accounting, mergers and acquisitions, commercial banking, mortgage loan originations and loan servicing, and asset management. He was also formerly a Certified Public Accountant. Mr. Richardson will serve as the Audit and Accounting Professional on this committee for a term expiring May 1, 2009. Mr. Richardson resides in Carmel Valley.

Irene Stallard-Rodriguez has over 20 years of marketing and management experience in high-volume retail, commercial leasing, and property management. She is currently the President and Founder of Rodriguez Marketing, LLC, a full service advertising agency that develops branding and advertising campaigns. Previously, she was the General Manager for the San Diego Factory Outlet Center and was responsible for property management, lease negotiations, tenant relations, and vendor management. Ms. Stallard-Rodriguez was also the General Manager for the Gateway Market Place. Ms. Stallard-Rodriguez will serve as the Single-Family Residential Ratepayer representative on this committee for a term expiring May 1, 2011. Ms. Stallard-Rodriguez lives in San Carlos.

Todd Webster, Ph.D., P.E, is a Project Manager I/Engineer IV for Shaw Environmental, Inc. and has more than 16 years experience in all aspects of biological water treatment system design, installation, and operation. Mr. Webster has extensive experience in drinking water regulations and the application of technologies for drinking water treatment. As a Senior Technical Leader, Mr. Webster has been instrumental in leading a team of engineers in conducting all phases of research and design for both pilot and full-scale biological remediation projects for potable and non-potable water treatment applications within the military, industrial, and public sectors. On behalf of Shaw Environmental, Mr. Webster is also the leading authority on all state and federal regulatory drinking water issues. Previously, Mr. Webster was a Post-Doctorate Research Associate for the University of California at Riverside, Environmental Engineer for Envirogen, Inc. and taught microbiology for environmental engineers for the University of Southern California. Mr. Webster was awarded a Ph.D. in Environmental Engineering from the University of Southern California in 1996 and he is also a State of California Professional Civil Engineer. Mr. Webster will serve as the Science Professional on this committee for a term expiring May 1, 2009. Mr. Webster resides in Talmadge.

Gail Welch is an Energy Manager for QUALCOMM Real Estate and Facilities. As the Energy Manager, Ms. Welch is responsible for oversight of total utility expenditures (gas, electricity, and water) and managing opportunities for commodity negotiations to minimize risk in utility expenditures. She also manages energy incentive programs and investigates expanded opportunities for energy efficiency and sustainability. Ms. Welch also serves as QUALCOMM's energy representative and liaison with various community agencies and associations including Industrial Environmental Association (IEA) and SANDAG Energy Working Group. Previously, Ms. Welch served in QUALCOMM's Corporate Finance Department as a Staff Financial Analyst where she managed various construction project and department budgets. Ms. Welch will serve as the Commercial & Industrial Ratepayer representative on this committee for a term expiring May 1, 2011. Ms. Welch resides in Carmel Valley.

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Independent Rates Oversight Committee

September 14, 2007

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I ask that you confirm these appointments and join me in acknowledging these individuals for their willingness to give of their time and serve the City of San Diego.

JERRY SANDERS

Mayor

JS:lg

cc: City Attorney Michael Aguirre
City Clerk Elizabeth Maland

000041

202
10/8**REQUEST FOR COUNCIL ACTION**
CITY OF SAN DIEGO1. CERTIFICATE NUMBER
(FOR AUDITOR'S USE OF)

TO: CITY ATTORNEY

2. FROM (ORIGINATING DEPARTMENT):
MAYOR JERRY SANDERS3. DATE:
9/14/07

4. SUBJECT:

APPOINTMENTS TO THE INDEPENDENT RATES OVERSIGHT COMMITTEE

5. PRIMARY CONTACT (NAME, PHONE, & MAIL STA.)

Lisa Gordon MS11A, 67740

6. SECONDARY CONTACT (NAME, PHONE, & MAIL STA.)

Jaymie Bradford MS 11A, 66980

7. CHECK BOX IF REPORT TO COUNCIL IS ATTACHED



8. COMPLETE FOR ACCOUNTING PURPOSES

FUND					9. ADDITIONAL INFORMATION / ESTIMATED COST:
DEPT.					
ORGANIZATION					
OBJECT ACCOUNT					
JOB ORDER					
C.I.P. NUMBER					
AMOUNT					

10. ROUTING AND APPROVALS

ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED	ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED
1	ORIG. DEPT/LG	<i>L. Gordon</i>	9/14/07	8	DEPUTY CHIEF	<i>[Signature]</i>	9/17/07
2	AUDITOR			9	COO		
3				10	CITY ATTORNEY	<i>[Signature]</i>	9/25/07
4	CFO			11	ORIG. DEPT/ COUNCIL LIAISON	<i>[Signature]</i>	9/17/07
5					DOCKET COORD: _____ COUNCIL LIAISON _____		
6					<input checked="" type="checkbox"/> COUNCIL PRESIDENT <i>[Signature]</i>	<input type="checkbox"/> SPOB <input type="checkbox"/> CONSENT <input checked="" type="checkbox"/> ADOPTION	
7					<input type="checkbox"/> REFER TO: _____	COUNCIL DATE: 10/8/07	

11. PREPARATION OF:

☒ RESOLUTIONS☐ ORDINANCE(S)☐ AGREEMENT(S)☐ DEED(S)

Appointing Linda Cocking, Jack Kubota, John Nelson, Charles Richardson, and Todd Webster for terms expiring May 1, 2009, and Donald Billings, Lawrence Clemens, Barry Newman, James Peugh, Irene Stallard-Rodriguez, and Gail Welch for terms expiring May 1, 2011. Please see Mayor Sanders' September 14, 2007 nominating memorandum which is attached.

11A. STAFF RECOMMENDATIONS: Ratify nominations as submitted.

12. SPECIAL CONDITIONS (REFER TO A.R. 3.20 FOR INFORMATION ON COMPLETING THIS SECTION.)

COUNCIL DISTRICT(S): Donald Billings-CD 1; Larry Clemens- N/A; Linda Cocking-CD 7; Jack Kubota-N/A; John Nelson-CD 2; Barry Newman-N/A; James Peugh-CD 2; Charles Richardson-CD 1; Irene Stallard-Rodriguez-CD 7; Todd Webster-CD 3; and Gail Welch-CD 1

COMMUNITY AREA(S): Donald Billings resides in Del Mar Terrace/Torrey Pines; Larry Clemens resides in Rancho Santa Fe; Linda Cocking resides in Tierrasanta; Jack Kubota resides in Carlsbad; John Nelson resides in Crown Point/Pacific Beach; Barry Newman resides in Escondido; James Peugh resides in Point Loma; Charles Richardson resides in Carmel Valley; Irene Stallard-Rodriguez resides in San Carlos; Todd Webster resides in Talmadge; and Gail Welch resides in Carmel Valley.

RECEIVED
CITY OF SAN DIEGO
CITY COUNCIL OFFICES

DATE:

000042

DOCKET SUPPORTING INFORMATION
CITY OF SAN DIEGO

9/14/07

SUBJECT:

APPOINTMENTS TO THE INDEPENDENT RATES OVERSIGHT COMMITTEE

BACKGROUND:

BY LINE: (MAYOR / DEPT. HEAD / AUTHOR INITIALS)

JS/LG

SIGNATURES:



ORIGINATING DEPT. HEAD

MAYOR
(FOR MAYORAL DEPARTMENTS ONLY)

RESOLUTION NUMBER R-_____

DATE OF FINAL PASSAGE _____

WHEREAS, a new Independent Rates Oversight Committee [IROC] was created by ordinance, O-19607, effective April 18, 2007, as part of a comprehensive safeguard plan for a new rate structure adopted for the City's water and wastewater systems; and

WHEREAS, eleven volunteers will serve on the IROC to assist the City to track and review the use of rate proceeds intended to fund capital improvement projects for the water and wastewater systems; and

WHEREAS, the IROC will replace the City's existing Public Utilities Advisory Commission, assuming its duties related to the review of policy, proposals and advice sought by the water and wastewater systems, and will also take on expanded duties; and

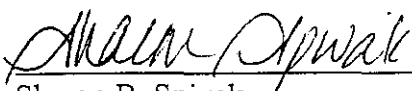
WHEREAS, the IROC will be charged with, among other things, reviewing reports on the expenditure of rate and bond proceeds; reviewing independent performance audits on the City's water and wastewater systems; advising about the efficiency and performance of both systems; overseeing department savings efforts; and providing an annual public report to the Mayor and City Council;

BE IT RESOLVED, by the Council of the City of San Diego, that the following appointments by the Mayor of the City of San Diego to serve as members of the new Independent Rates Oversight Committee, for terms ending as indicated, be and the same are hereby confirmed:

<u>NAME</u>	<u>CATEGORY</u>	<u>TERM ENDING</u>
Linda Cocking (Tierrasanta, District 7)	Multi-family residential ratepayer representative	May 1, 2009
Jack Kubota (Carlsbad)	Engineering Professional	May 1, 2009
John Nelson (Crown Point / Pacific Beach, District 2)	Temporary Irrigation & Construction Ratepayer Representative	May 1, 2009
Charles Richardson (Carmel Valley, District 1)	Audit and Accounting Professional	May 1, 2009
Todd Webster (Talmadge, District 3)	Science Professional	May 1, 2009
Donald Billings (Del Mar Terrace / Torrey Pines, District 1)	Finance/Municipal Finance Representative (Chair)	May 1, 2011
Lawrence Clemens (Rancho Santa Fe)	Construction Management Professional	May 1, 2011
Barry Newman (Escondido)	Law Professional	May 1, 2011
James Peugh (Point Loma, District 2)	Environmental Representative	May 1, 2011
Irene Stallard-Rodriguez (San Carlos, District 7)	Single-family residential ratepayer representative	May 1, 2011
Gail Welch (Carmel Valley, District 1)	Commercial and industrial ratepayer representative	May 1, 2011

BE IT FURTHER RESOLVED, that pursuant to Council Policy 000-13, for purposes of deliberation and consideration of appointment, it is determined that Jack Kubota, Lawrence Clemens and Barry Newman are residents of San Diego County, but not the City of San Diego, and have unique qualifications to serve as members of the Commission; therefore, conscious exceptions to Council Policy 000-13 are hereby declared for each of these appointees.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Sharon B. Spivak
Deputy City Attorney

SBS:als
09/25/07
Or.Dept:Mayor
R-2008-238

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of _____.

ELIZABETH S. MALAND
City Clerk

By _____
Deputy City Clerk

Approved: _____
(date)

JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor